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Order Regarding Motion for Sentence Reduction

## UNITED STATES DISTRICT COURT

NORTHERN

District of

NEW YORK

UNITED STATES OF AMERICA

vs.

KARO BROWN

**ORDER REGARDING MOTION FOR  
SENTENCE REDUCTION PURSUANT TO 18  
U.S.C. § 3582(c)(2) AND APPOINTMENT OF  
COUNSEL**

Case

Number: 5:03-CR-0243-004

USM

Number: 15330-014Simon Moody, Esq.

Defendant's Attorney

Date of Previous Judgment: February 16, 2005

(Use Date of Last Amended Judgment if Applicable)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion (Dkt. No. 824) is:

☒ **DENIED.**

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 42

Amended Offense Level:

Criminal History Category: V

Criminal History Category:

Previous Guideline Range: 360 to Life

Amended Guideline Range:

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (**explain**): \_\_\_\_\_

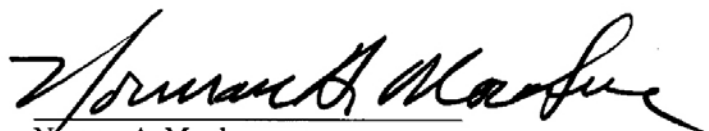
**III. ADDITIONAL COMMENTS**

The defendant's guideline range will not change from 360 to Life as it was based on the greater of the murder guidelines and the crack guidelines.

**IT IS SO ORDERED.**

December 22, 2008

Order Date



Norman A. Mordue

Chief United States District Court Judge

Effective Date (if different from order date)